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Attorneys for Ryan W. Payne

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
RYAN W. PAYNE,  
Defendant.

**2:16-cr-046-GMN-PAL**

**EMERGENCY MOTION FOR**  
**HEARING ON STATUS OF PENDING**  
**MATTERS (ECF NOS. 291, 331, 442)**

**Certification:** This Motion is timely filed.

Defendant RYAN W. PAYNE, through his counsel, SHARI L. KAUFMAN, KAM CARRICO, and RYAN NORWOOD, Assistant Federal Public Defenders, moves for  
ing to address the status of certain critical matters pending before this Court. The attached  
randum of Points and Authorities is submitted in support of this request.

Memorandum of Points and Authorities is submitted in support of this request.

1 DATED this 22<sup>nd</sup> day of June, 2016.

2 RENE VALLADARES  
3 Federal Public Defender

4 By: /s/ Shari L. Kaufman  
5 SHARI L. KAUFMAN  
6 Assistant Federal Public Defender

7 By: /s/ William Carrico  
8 WILLIAM CARRICO  
9 Assistant Federal Public Defender

10 By: /s/ Ryan Norwood  
11 RYAN NORWOOD  
12 Assistant Federal Public Defender

1                   Memorandum of Points and Authorities

2                   Defendant Ryan Payne and 18 co-defendants are charged in a 16-count superseding  
3 indictment that includes four forfeiture allegations. ECF No. 27. The charges stem from an  
4 alleged standoff with law enforcement agents near Bunkerville, Nevada in April 2014. *Id.* This  
5 case is scheduled for trial in February of 2017. ECF No. 321, pp. 12-13. The pretrial motion  
6 deadline is October 3, 2016. ECF No. 321, p. 13.

7                   The following matters, among numerous others, are fully briefed and currently awaiting  
8 decision from this Court:

- 9                   • Defendant Ryan W. Payne’s Motion to Dismiss, ECF No. 291  
10                  Government’s Response in Opposition, ECF No. 383  
11                  Defendant Ryan W. Payne’s Reply in Support of Motion to Dismiss, ECF No. 418
- 12                  • Memorandum Opposing Entry of Protective Order, ECF No. 331
- 13                  • Defendant Ryan W. Payne’s Motion to Compel Electronic Access to Legal  
14                  Materials and the Ability to Communicate Telephonically with Defense  
15                  Counsel in a Confidential Manner, ECF No. 442  
16                  Government’s Response to Defendant Ryan Payne’s Motion to Compel Electronic  
17                  Access to Legal Materials, ECF No. 517  
18                  Reply to Government’s Response to Defendant’s Motion to Compel Electronic  
19                  Access to Legal Material, ECF No. 517

20                  These pending matters must be resolved so that Mr. Payne can have meaningful contact  
21 with his Nevada defense team and begin reviewing the voluminous discovery in this case, the  
22 necessary precursors to the defense team’s timely preparation of pretrial motions and  
23 development of a trial defense. A status hearing would aid in resolving the issues raised. Indeed,  
24 when responding to Mr. Payne’s request for access to discovery and to his defense counsel in the  
Nevada case, the government agreed that “this matter is best resolved in a pretrial conference with

1 the Court (as opposed to Motion)."<sup>1</sup> ECF No. 517, p. 2. Mr. Payne thus requests this Court hold  
2 a status hearing on the above identified matters at the Court's earliest convenience.

3 Dated this 22<sup>nd</sup> day of June, 2016.

4 Respectfully Submitted,

5 RENE VALLADARES  
Federal Public Defender

6 By: /s/ Shari L. Kaufman  
7 SHARI L. KAUFMAN  
8 Assistant Federal Public Defender

9 By: /s/ William Carrico  
10 WILLIAM CARRICO  
11 Assistant Federal Public Defender

12 By: /s/ Ryan Norwood  
RYAN NORWOOD  
13 Assistant Federal Public Defender

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22 <sup>1</sup> The government also stated it "does not, at this time, take a position on the relief requested  
in the Motion or the basis upon which it is sought." ECF No. 517, p. 2.

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1                   **CERTIFICATE OF ELECTRONIC SERVICE**

2                   The undersigned hereby certifies that he is an employee of the Federal Public Defender for  
3 the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

4                   That on June 22, 2016, he served an electronic copy of the above and foregoing  
5 **EMERGENCY MOTION FOR HEARING ON STATUS OF PENDING MOTIONS** by  
6 electronic service (ECF) to the person named below:

7                   DANIEL G. BOGDEN  
8                   United States Attorney  
9                   ERIN M. CREEGAN  
10                  Assistant United States Attorney  
11                  NADIA JANJUA AHMEN  
12                  Assistant United States Attorney  
13                  NICHOLAS DICKINSON  
14                  Assistant United States Attorney  
15                  STEVEN MYHRE  
16                  Assistant United States Attorney  
17                  501 Las Vegas Blvd. South  
18                  Suite 1100  
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21  
22                  */s/ Brandon Thomas*  
23                  Employee of the Federal Public Defender  
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